

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - July 12, 1967

Appeal No. 9275 Erma W. Laws, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 19, 1967.

ORDERED:

That the appeal for variance from use provisions of R-3 District to permit a two-family flat at 127 Hamilton St. N.W., lot 63, square 3396, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The property is improved with a two-story brick dwelling.
3. The property became a matter of probate July 30, 1966 in the United States District Court (Estate of Erma W. Laws).
4. The property was purchased by the deceased approximately 10 years ago and the building then contained two units. Testimony indicates that the property has been continuously used as a two-family dwelling.
5. The original building permit #201396 authorized the construction of a dwelling on the subject site.
6. Permit #21707 issued on July 29, 1947 authorized the installation of a gas range and is the only permit issued in regard to the subject property since the original permit was issued.
7. Opposition to the granting of this appeal was registered at the public hearing. The record contains a petition of opposition from neighboring property owners.

OPINION:

We are of the opinion that the appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owners. Appellant's property is such that to require a conversion to correspond to the R-3 District would pose substantial problems. In addition, we hold that the requested relief can be granted without substantial detriment to the public good, and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

A handwritten signature in cursive script, appearing to read "Charles E. Morgan", is written over a horizontal line.

CHARLES E. MORGAN

Secretary of the Board.

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY
UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH
THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE
EFFECTIVE DATE OF THIS ORDER.